

CHALOS, O'CONNOR & DUFFY, LLP

Attorneys for Plaintiff,

Scanda Navigation Ltd.

366 Main Street

Port Washington, New York 11050

Tel: (516) 767-3600

Fax: (516) 767-3605

Owen F. Duffy (OD-3144)

George E. Murray (GM-4172)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SCANDA NAVIGATION LTD.

Plaintiff,

07 CV 10939 (LTS)

v.

HEAVENS GATE SHIPPING INC.

Defendant.

-----X

NOTICE OF DISMISSAL

The Plaintiff, by its undersigned attorneys, hereby gives notice in accordance with Rule 41(a)(1), Federal Rules of Civil Procedure, of the voluntary dismissal of the above entitled action without order of the Court.


With respect thereto, the Plaintiff states that no answer or motion for summary judgment has been received by counsel for the Plaintiff.

Such dismissal is without prejudice and is not on the merits. There has been no prior dismissal in any court of the United States or of any state of an action based on or including the same claim as presented by the Plaintiff in its complaint herein.

Dated: Port Washington, New York
January 22, 2008

CHALOS, O'CONNOR & DUFFY, LLP
Attorneys for Plaintiff,
SCANDA NAVIGATION LTD.

By:



Owen F. Duffy (OD-3144)
George E. Murray (GM-4172)
366 Main Street
Port Washington, New York 11050
Tel: (516) 767-3600
Fax: (516) 767-3605